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PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2612**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yutaka TSUDA

Group Art Unit: 2612

Application No.: 09/910,882

Examiner: J. WHIPKEY

Filed: July 24, 2001

Docket No.: 110170

For: ELECTRONIC CAMERA WITH BATTERY CAPACITY DETECTION CAPABILITY.
(AS AMENDED)

OK to enter.

JTW

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

11/9/05 Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the July 15, 2005 Office Action, Applicant requests reconsideration of this application. Claims 1-18 are pending.

Applicant notes with appreciation the allowance of claims 5-10, 13-16 and 18, and the identification of allowable subject matter in claims 12 and 17. Applicant respectfully submits that all pending claims are allowable, as detailed below.

Claims 1-4 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,710,809 to Niikawa in view of U.S. Patent No. 5,018,017 to Sasaki et al. This rejection is respectfully traversed.

Neither Niikawa nor Sasaki et al. discloses or suggests the claim 1 "maintain time calculator that calculates a maintainable time of the image data maintained in said volatile